

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW HAMPSHIRE**

NEW HAMPSHIRE INDONESIAN
COMMUNITY SUPPORT, et al.,

Plaintiffs,

v.

DONALD J. TRUMP, President of the United
States, in his official capacity, et al.,

Defendants.

Case No. 1:25-cv-38

**PLAINTIFFS' RESPONSE TO DEFENDANTS' MOTION FOR CLARIFICATION OF
PRELIMINARY INJUNCTION ORDER**

Defendants request that this Court clarify the scope of its preliminary injunction order. *See* Mem. in Supp. of Defs.' Mot. for Clarification of Prelim. Inj. Order, ECF No. 81-1 (Mot.). Plaintiffs do not oppose clarification. However, Plaintiffs write to emphasize three points in response to Defendants' filing.

First, Defendants provide no basis to interpret the Court's injunction as limited to "just those members who have been identified in Plaintiffs' submissions." Mot. 3. Plaintiffs are organizations collectively representing hundreds of thousands of members, *see* Mot. 1-2, and the Court enjoined Defendants from enforcing the Executive Order "in any manner with respect to the plaintiffs," Prelim. Inj. Order 11, ECF No. 79 (Order). Absent some special limitation in a court's order, injunctions in associational standing suits like this one protect "*all* members injured," *N.H. Motor Transp. Ass'n v. Rowe*, 324 F. Supp. 2d 231, 236 (D. Maine 2004) (emphasis added), not just those whose circumstances are specifically described, *see also, e.g., Louis D. Brandeis Ctr. for Hum. Rts. Under L. v. President & Fellows of Harvard Coll.*, No. CV 24-11354-RGS, 2024 WL 4681802, at *4 (D. Mass. Nov. 5, 2024) ("[T]he requested injunctive

relief will inure to the benefit of all injured class members.”). Nothing in the Court’s Order indicates any such limitation.

Second, Defendants suggest that the Court’s Order could be read to apply only to Plaintiffs and their members. Mot. 3. To the contrary, the Court enjoined application of the Executive Order “with respect to the plaintiffs, *and* with respect to any individual or entity in any other matter or instance within the jurisdiction of this court.” Order 11 (emphasis added). The Court applied its ruling to the Plaintiffs “and” other individuals or entities, not just the Plaintiffs in this case.

Third, Defendants seek clarification of the meaning of the phrase “within the jurisdiction of this court” in the injunction. Mot. 3. Plaintiffs sought nationwide relief in this case, *see* Mot. 2, and explained how that scope of relief is practically necessary to afford Plaintiffs and their members complete protection, Pls.’ Reply in Supp. of Mot. for Prelim. Inj. 14-15, ECF No. 64 (Reply) (noting that there is no reasonable way to prove membership in various circumstances). There is no doubt this Court has the authority to enjoin the Executive Order as to nonparties, particularly where (as here) doing so is necessary to afford complete relief to the Plaintiffs. *See* Reply 14-15 (collecting cases); *see also CASA, Inc. v. Trump*, No. CV DLB-25-201, 2025 WL 545840 (D. Md. Feb. 18, 2025) (rejecting argument that injunction should be limited to organizations’ members). And given that this Court has both subject matter jurisdiction and personal jurisdiction over the Defendants, the full scope of the Executive Order’s application—whether or not that application occurs in New Hampshire—is “within the jurisdiction of this court.” *See, e.g., Trump v. Int’l Refugee Assistance Project*, 582 U.S. 571, 579-83 (2017) (narrowing injunction but leaving it in effect as to certain nonparties nationwide).

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Respectfully submitted,

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